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(Pending admission pro hac vice)  
Attorneys for Creditor F3 Metalworx, Inc.

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

In re:  
BED BATH & BEYOND INC., et al

Chapter 11  
Case No. 23-13359 (VFP)  
(Jointly Administered)

Debtors

DECLARATION OF  
JUSTIN T. SHAY, ESQ.,  
IN SUPPORT OF MOTION  
FOR ADMISSION *PRO HAC VICE*

Pursuant to 28 U.S.C. 1746(2), Justin T. Shay declares the following to be true:

1. Since 1982, I have been licensed to practice law in the State of Rhode Island. I am currently an active member of the State Bar of Rhode Island, in good standing.
2. I am not under suspension or disbarment by any court, nor am I ineligible for admission to this Court under L. Civ. R. 101.1(b). There are no disciplinary procedures pending against me in any jurisdiction, and no discipline has previously been imposed on me in any jurisdiction.
3. I acknowledge my continuing obligation to promptly advise this Court of the institution of any disciplinary proceedings against me, should the Court grant my motion for *Pro Hac Vice* admission in this matter.

4. I have a long-standing attorney-client relationship with creditor F3 Metalworx, Inc., which has asked me to represent it in this matter because of my familiarity with its operations and personnel, and because of its trust in my knowledge of the law and my ability to advocate on its behalf.

5. If admitted, I will make all payments to the New Jersey Lawyers Fund For Client Protection which are required by New Jersey Court Rule 1:28-2(a). I am also prepared to make the \$150 payment to the Clerk of the USDC which L. Civ.R., 101(c) requires.

6. Creditor F3 Metalworx, Inc. has retained Merrill O'Brien, of O'Brien Thornton LLC, ATTORNEY ID# 025341980, as its local counsel. Mr. O'Brien is an active member of the Bar of this Court, and of the New Jersey Bar, and is certified as a Civil Trial Attorney by the Supreme Court of New Jersey. Mr. O'Brien will accept service of all notices, orders, and pleadings, and has agreed to promptly notify me of their receipt.

7. If admitted *Pro Hac Vice*, I will promptly register as an ECF Filing User, and take the steps necessary to receive Notices of Electronic Filing so as to receive ECF filed documents automatically. I have also enrolled in the Public Access to Court Electronic Records ("PACER"), to facilitate my receipt of docket information in this matter. With the Court's permission, I will attend all Court conferences remotely.

8. I have familiarized myself with the Local Rules and will strictly observe the dates fixed for scheduling conferences, motions, pretrial conferences, trials, or any other proceedings. I understand that my failure to comply with Local Civ. Rule 101(c) may result in the imposition of sanctions, including the withdrawal of the permission granted under this Rule to participate in this action.

9. I declare under penalty of perjury that the foregoing is true and correct pursuant to 28 U.S.C. § 1746(b).

Dated: June 27, 2023



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